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JONES DAY 222 EAST 41ST ST NEW YORK, NY 10017			EXAMINER ARNBERG, MEGAN C	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/522,571

**Applicant(s)**

APPELMAN ET AL.

**Examiner**

MEGAN ARNBERG

**Art Unit**

1796

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12, 14-24 and 26-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-24, 26-44 is/are rejected.
- 7) ☒ Claim(s) 36, 37, 39, 40, 42, 44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ ~~Notice of Informal Patent Application~~
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

Claims 36, 37, 39, 40, 42, 44 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Specifically, claim 36 and claim 39 are identical, claim 37 and claim 40 are identical and claim 42 and claim 44 are identical.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 31-34, 36, 37, and 39-44 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 31, 32, 33, and 34: The subject matter which was not described in the specification is the polyol having a molecular weight of less than 650 or less than 200. In paragraph 27 of the Pre-Grant Publication of the instant application, it

states that the molecular weight of the polyol is preferably in the range of 50 to 650, but there is no teaching that it can be less than 50. Likewise, the same paragraph teaches the range of 70 to 200, but does not teach less than 70.

Regarding claims 41, 42, 43, and 44: The subject matter which was not described in the specification is the residue is derived from polyols which have at most only one ether linkage in their structure or derived from polyols which have no ether linkage in their structure.

***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claim 1: Mulhaupt et al. teaches a heat-curable (col. 13 lines 52-61) composition comprising an epoxy resin (col. 3 lines 18-25, formula VI) and a polymeric impact modifier comprising a dimer fatty acid (col. 5 lines 15-17). While Mulhaupt et al. does not directly teach that the composition is capable of phase separation upon curing to form phase-separated domains and/or particles comprising the impact modifier, since all of the components are present in the composition and it is cured in the same manner as the instant application, it is inherent that the composition would have this property. If it is applicants' position that this would not be the case: (1) evidence would need to be

presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property.

Claims 2-12, and 14-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claims 2, 11, 14, 15, 16, and 17: Mulhaupt et al. teaches a cured composition (col. 13 lines 52-61) comprising a reaction product of an epoxy and an impact modifier/polyester (col. 12 lines 63-67), the impact modifier comprising a dimer fatty acid (col. 5 lines 15-17). While Mulhaupt et al. does not directly teach the phase-separated domains and/or particles comprising the impact modifier, the cured product is made by the same method as the instant composition, and would therefore inherently form the phase-separated domains and/or particles; the method comprising the steps of (a) prepolymer formation/epoxy-impact modifier adduct formation (col. 12 lines 63-67), (b) epoxy resin composition formation/adding epoxy to the adduct (col. 13 lines 11-15), (c) film formation (col. 13 lines 20-22) and (d) cured under pressure (col. 13 line 30) of at least 10 tons per square foot. If it is applicants' position that this method would not inherently form the domains and/or particles: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property. Since the method it is the same, it would also form particles with a diameter in the range of 0.4 to 7 microns, have an aspect ratio in the

range from 0.6 to 1.4:1, have less than 25% particles with a diameter less than 0.5 microns, and have less than 20% particles with a diameter greater than 5 microns.

Regarding claims 3 and 4: Mulhaupt et al. teaches the impact modifier is a polyester (col. 2 line 50 formula II), and can be a mixture (examples 4, 7, 10, 11, 12, and 15) of polyesters made from dicarboxylic acids/dimers and tricarboxylic acids/non-dimers (col. 11 line 1-62). Used in an amount of 1:2 or 1:0.5 (table 1), which would be calculated to 33%:66% or 66%:33%, which overlaps the claimed ranges.

Regarding claim 5: Mulhaupt et al. teaches the polyester comprises both dimer fatty acids and other dicarboxylic acids (col. 5 lines 15-68), in particular adipic acid (col. 5 line 47) where the aliphatic radical is tetramethylene. The preferred diol is butanediol, MW = 90 (col. 6 lines 52-55).

Regarding claim 6: Mulhaupt et al. teaches that polyamides are used in compositions with epoxy resins (col. 1 lines 27-33).

Regarding claim 7: Mulhaupt et al. teaches that the dicarboxylic acids in the polyester can be the same or different (col. 3 lines 15-17) meaning that the proper selection of a mixture of dimeric fatty acids and non-dimeric fatty acids would provide the levels of dimeric fatty acids between 15 and 50% by weight.

Regarding claims 8-10: Mulhaupt et al. teaches the composition contains 100g of epoxy and 16.6 g of the impact modifier (col. 13 lines 11-13), which is calculated to a ratio of 6:1 epoxy to impact modifier. The polyester component is between 1 and 25% by weight (col. 9 lines 30-35). The fatty acid component would then be between 0.7% and 17.5% by weight if it is 70% of the polyester (col. 3 lines 19-22).

Regarding claim 12: The epoxy-polyester adduct comprises 40% or 50% polyester/impact modifier in the adduct/prepolymer (Table top of col. 13).

Regarding claims 18 and 19: Physical properties of the composition are inherent in the composition as claimed. The Office recognizes that all of the claimed effects and physical properties are not positively stated by the reference. Note however, that the reference teaches all of the claimed ingredients, process steps and process conditions and thus, the claimed effects and physical properties would implicitly be achieved by carrying out the disclosed process. If it is the applicant's position that this would not be the case: (1) evidence would need to be presented to support applicant's position; and (2) it would be the Office's position that the application contains inadequate disclosure in that there is no teaching as to how to obtain the claimed properties and effects by carrying out only these steps.

Claim 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claim 20: Mulhaupt et al. teaches a prepolymer/adduct which is the reaction product of an epoxy and an impact modifier/polyester (col. 12 lines 63-67) with the impact modifier/polyester in an amount of 40% or 50% and the epoxy in an amount of 50% or 60% (Table top of col. 13). Mulhaupt et al. teaches that the dicarboxylic acids in the polyester can be the same or different (col. 3 lines 15-17) meaning that the proper selection of a mixture of dimeric fatty acids and non-dimeric fatty acids would provide the levels of dimeric fatty acids between 15 and 50% by weight.

Claims 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claims 21-24: Mulhaupt et al. teaches a cured composition (col. 13 lines 52-61) comprising a reaction product of an epoxy and an impact modifier/polyester (col. 12 lines 63-67), the impact modifier comprising a dimer fatty acid (col. 5 lines 15-17). While Mulhaupt et al. does not directly teach the phase-separated domains and/or particles comprising the impact modifier, the cured product is made by the same method as the instant composition, and would therefore inherently form the phase-separated domains and/or particles; the method comprising the steps of (a) prepolymer formation/epoxy-impact modifier adduct formation (col. 12 lines 63-67), (b) epoxy resin composition formation/adding epoxy to the adduct (col. 13 lines 11-15), (c) film formation (col. 13 lines 20-22) and (d) cured under pressure (col. 13 line 30) of at least 10 tons per square foot. If it is applicants' position that this method would not inherently form the domains and/or particles: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property. Since the method it is the same, it would also form particles with at least 60% of the particles have diameter in the range of 0.8 to 5 microns, have an aspect ratio in the range from 0.7 to 1.3:1, have less than 25% particles with a diameter less than 0.5 microns, and have less than 20% particles with a diameter greater than 5 microns.



Claim 26 is rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claim 26: Mulhaupt et al. teaches a heat-curable (col. 13 lines 52-61) adhesive (col. 10 lines 46-55) composition comprising an epoxy resin (col. 3 lines 18-25, formula VI) and a polymeric impact modifier comprising a dimer fatty acid (col. 5 lines 15-17). While Mulhaupt et al. does not directly teach that the composition is capable of phase separation upon curing to form phase-separated domains and/or particles comprising the impact modifier, since all of the components are present in the composition and it is cured in the same manner as the instant application, it is inherent that the composition would have this property. If it is applicants' position that this would not be the case: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property.

Claims 28 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claims 28 and 29: Mulhaupt et al. teaches a composition comprising a reaction product of an epoxy and an impact modifier/polyester (col. 12 lines 63-67), the impact modifier comprising a dimer fatty acid (col. 5 lines 15-17). Mulhaupt et al. does not directly teach that the composition is capable of phase separation upon curing to form phase-separated domains and/or particles comprising the impact modifier, since all

of the components are present in the composition and it is cured in the same manner as the instant application, it is inherent that the composition would have this property. If it is applicants' position that this would not be the case: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property. Further, the impact modifier/polyester is taught being made with propylene oxide MW = 58 (col. 6 lines 44-48) and then mixed with diglycidyl ether based on bisphenol A (col. 13 lines 11-15), which has a molecular weight of 274 in its simplest form.

Claim 30 is rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claim 30: Mulhaupt et al. teaches a method comprising curing an epoxy resin composition that had been placed between surfaces/curing a laminate (col. 13 lines 1-30).

Claims 31 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claims 31 and 32: Mulhaupt et al. teaches a heat-curable (col. 13 lines 52-61) composition comprising an epoxy resin (col. 3 lines 18-25, formula VI) and a polymeric impact modifier comprising a dimer fatty acid (col. 5 lines 15-17) and the polyol ethylene glycol (col. 6 lines 49-56), which has a molar mass of 62. While

Mulhaupt et al. does not directly teach that the composition is capable of phase separation upon curing to form phase-separated domains and/or particles comprising the impact modifier, since all of the components are present in the composition and it is cured in the same manner as the instant application, it is inherent that the composition would have this property. If it is applicants' position that this would not be the case: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property.

Claims 33, 34, 36, 37, 39, 40, 42 and 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claims 33, 34, 36, 37, 39, 40, 42, and 44: Mulhaupt et al. teaches a cured composition (col. 13 lines 52-61) comprising a reaction product of an epoxy and an impact modifier/polyester (col. 12 lines 63-67), the impact modifier comprising a dimer fatty acid (col. 5 lines 15-17) and the polyol neopentyl glycol (col. 6 lines 49-56), which has a molecular weight of 104 and no ether linkages. While Mulhaupt et al. does not directly teach the phase-separated domains and/or particles comprising the impact modifier, the cured product is made by the same method as the instant composition, and would therefore inherently form the phase-separated domains and/or particles; the method comprising the steps of (a) prepolymer formation/epoxy-impact modifier adduct formation (col. 12 lines 63-67), (b) epoxy resin composition formation/adding epoxy to the adduct (col. 13 lines 11-15), (c) film formation (col. 13 lines 20-22) and (d) cured

under pressure (col. 13 line 30) of at least 10 tons per square foot. If it is applicants' position that this method would not inherently form the domains and/or particles: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property.

Claim 35 is rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claim 35: Mulhaupt et al. teaches a heat-curable (col. 13 lines 52-61) composition comprising an epoxy resin (col. 3 lines 18-25, formula VI) and a polymeric impact modifier comprising a dimer fatty acid (col. 5 lines 15-17) and the polyol neopentyl glycol (col. 6 lines 49-56). While Mulhaupt et al. does not directly teach that the composition is capable of phase separation upon curing to form phase-separated domains and/or particles comprising the impact modifier, since all of the components are present in the composition and it is cured in the same manner as the instant application, it is inherent that the composition would have this property. If it is applicants' position that this would not be the case: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property.

Claim 38 is rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claim 38: Mulhaupt et al. teaches a cured composition (col. 13 lines 52-61) comprising an epoxy resin (col. 3 lines 18-25, formula VI) and a polymeric impact modifier comprising a dimer fatty acid (col. 5 lines 15-17) and the polyol neopentyl glycol (col. 6 lines 49-56). While Mulhaupt et al. does not directly teach the phase-separated domains and/or particles comprising the impact modifier, the cured product is made by the same method as the instant composition, and would therefore inherently form the phase-separated domains and/or particles; the method comprising the steps of (a) prepolymer formation/epoxy-impact modifier adduct formation (col. 12 lines 63-67), (b) epoxy resin composition formation/adding epoxy to the adduct (col. 13 lines 11-15), (c) film formation (col. 13 lines 20-22) and (d) cured under pressure (col. 13 line 30) of at least 10 tons per square foot. If it is applicants' position that this method would not inherently form the domains and/or particles: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property.

Claim 41 is rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claim 41: Mulhaupt et al. teaches a heat-curable (col. 13 lines 52-61) composition comprising an epoxy resin (col. 3 lines 18-25, formula VI) and a polymeric

impact modifier comprising a dimer fatty acid (col. 5 lines 15-17) and the polyol neopentyl glycol (col. 6 lines 49-56) which has no ether linkages in the structure. While Mulhaupt et al. does not directly teach that the composition is capable of phase separation upon curing to form phase-separated domains and/or particles comprising the impact modifier, since all of the components are present in the composition and it is cured in the same manner as the instant application, it is inherent that the composition would have this property. If it is applicants' position that this would not be the case: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property.

Claim 43 is rejected under 35 U.S.C. 102(b) as being anticipated by Mulhaupt et al. (U.S. Pat. 4,952,645).

Regarding claim 43: Mulhaupt et al. teaches a cured composition (col. 13 lines 52-61) comprising an epoxy resin (col. 3 lines 18-25, formula VI) and a polymeric impact modifier comprising a dimer fatty acid (col. 5 lines 15-17) and the polyol neopentyl glycol (col. 6 lines 49-56) which has no ether linkages in its structure. While Mulhaupt et al. does not directly teach the phase-separated domains and/or particles comprising the impact modifier, the cured product is made by the same method as the instant composition, and would therefore inherently form the phase-separated domains and/or particles; the method comprising the steps of (a) prepolymer formation/epoxy-impact modifier adduct formation (col. 12 lines 63-67), (b) epoxy resin composition

formation/adding epoxy to the adduct (col. 13 lines 11-15), (c) film formation (col. 13 lines 20-22) and (d) cured under pressure (col. 13 line 30) of at least 10 tons per square foot. If it is applicants' position that this method would not inherently form the domains and/or particles: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mulhaupt et al. (U.S. Pat. 4,952,645) in view of Welke et al. (EP 1 026 218).

Regarding claim 27: Mulhaupt et al. teaches the epoxy adhesive used as a laminating resin (col. 10 line 53) comprising a reaction product of an epoxy and an impact modifier/polyester (col. 12 lines 63-67), the impact modifier comprising a dimer fatty acid (col. 5 lines 15-17). While Mulhaupt et al. does not directly teach the phase-separated domains and/or particles comprising the impact modifier, the cured product is made by the same method as the instant composition, and would therefore inherently form the phase-separated domains and/or particles; the method comprising the steps of (a) prepolymer formation/epoxy-impact modifier adduct formation (col. 12 lines 63-67), (b) epoxy resin composition formation/adding epoxy to the adduct (col. 13 lines 11-15),

(c) film formation (col. 13 lines 20-22) and (d) cured under pressure (col. 13 line 30) of at least 10 tons per square foot. If it is applicants' position that this method would not inherently form the domains and/or particles: (1) evidence would need to be presented to support applicants' position; and (2) it would be the Office's position that the application contains inadequate disclosure that there is no teaching as to how to obtain a composition with this property.

Mulhaupt et al. does not teach using the epoxy resin as an adhesive specifically for bonding electronic components to circuit boards. However, Welke et al. teaches the composition is used in the electronics industry to bond electronic components to substrates (para. 74) which is a laminating process. Mulhaupt et al. and Welke et al. are analogous art since they both are from the same field of endeavor, namely epoxy/polyester resin compositions. At the time of the invention a person having ordinary skill in the art would have found it obvious to combine the teaching of Welke et al. with the composition of Mulhaupt et al. and would have been motivated to do so to extend the range of applications of the resin composition.

### ***Response to Arguments***

Applicant's arguments filed March 11, 2008 have been fully considered but they are not persuasive, because:

A) Applicant's argument that Mulhaupt et al. does not teach the claimed subject matter is not persuasive and these arguments have been substantially addressed in the



rejections as set forth above since it is laid out specifically how Mulhaupt et al. teaches the claimed subject matter.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

### ***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MEGAN ARNBERG whose telephone number is (571)270-3292. The examiner can normally be reached on Monday - Friday 7:30-5:00 EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on (571) 272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MARK EASHOO, PhD./  
Supervisory Patent Examiner, Art Unit 1796  
15-Jul-08

/M. A./  
Examiner, Art Unit 1796